

REMARKS

Claims 1-54 are pending. Claims 22-40 and 50-54 were withdrawn from consideration; claims 1, 2, 15-21, 41-43 and 47-49 stand rejected; and claims 3-14 and 44-46 are objected to. By virtue of this response, claims 3, 21-40, 43, 44, and 50-54 have been cancelled, claims 1, 15, 16, 41, 45, and 46 have been amended, and new claims 55-73 have been added. Accordingly, claims 1, 2, 4-20, 41, 42, 45-49, and 55-73 are currently under consideration. Support for the amendment to claims 1, 15, 16, 41, 45, and 46 and new claims 55-73 may be found, e.g., in the claims as originally presented; accordingly, no new matter has been added.

Cancellation and amendment of certain claims is not to be construed as a dedication or abandonment of any unclaimed subject matter by Applicants, and moreover Applicants have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants explicitly reserve the right to pursue prosecution of any subject matter in continuation and/or divisional applications.

Allowable Subject Matter

Claims 3-14 and 44-46 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Additionally, claims 15-17 stand objected to but would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for the indication of allowable subject matter. Applicants have amended claim 1 to include features of claim 3 and added new claim 55 which includes features of original claim 1 and claim 4. Accordingly, Applicants submit that claims 1 and 55 (as well as claims that depend there from) are now in condition for allowance.

Specification

The disclosure is objected to because of the specification refers to “unknown” serial numbers for co-pending patent applications. Applicants have amended the specification herein to include serial numbers and status of the co-pending patent applications.

Claim Objections

Claims 16 and 41 stand objected to because of informalities detailed on pages 2 and 3 of the Office Action. Applicants have made appropriate amendments to claims 16 and 41 as suggested by the Examiner. Accordingly, Applicants request the objections be withdrawn.

Claim Rejections Under 35 USC §112

Claims 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claim 15 to recite a “shutter opener boss lock release portion,” and believe that claim 15 is now clear and definite.

Claim Rejections under 35 USC §102

Claims 1 and 18-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Arai et al. (U.S. Pat. No. 6,154,431).

As indicated above, claim 1 has been amended to include features similar to those of original claim 3, which was indicated to include allowable subject matter. In particular, claim 1 is amended to recite a data drive comprising “a data transfer mechanism fixedly coupled to the drive base.” Accordingly, Applicants request withdrawal of the rejection and allowance of claim 1 and all claims depending there from.

Claim Rejections under 35 USC §103

A. Claims 2 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (U.S. Pat. No. 6,154,431).

Claims 2 and 21 depend from claim 1 and are allowable over Arai for at least similar reasons as claim 1. Accordingly, Applicants request withdrawal of the rejection and allowance of claims 2 and 21.

B. Claims 41-43 and 47-49 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (U.S. Pat. No. 6,154,431) in view of Okamoto et al. (U.S. Pat. No. 6,205,105).

As indicated above, claim 41 has been amended to include features similar to those of original claim 44 (and claim 43), wherein claim 44 was indicated to include allowable subject matter. Accordingly, Applicants request withdrawal of the rejection and allowance of claims 41, 42, and 45-49.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 495812005400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 
Christopher B. Eide

Registration No.: 48,375
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5720